

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LAUTHA V. ANDERSON, SR.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:17-CV-2659 AGF
)	
CHANTAY GODERT, et al.,)	
)	
Defendants.)	

**MOTION TO PERMIT PLAINTIFF LAUTHA V. ANDERSON, SR.
TO APPEAR IN COURT AT TRIAL
WITHOUT SHACKLES OR OTHER RESTRAINTS AND IN CIVILIAN CLOTHES**

COMES NOW Plaintiff Lautha V. Anderson, Sr. ("Plaintiff"), by and through his attorney, and for his Motion to Permit Plaintiff to Appear in Court at Trial Without Shackles or Other Restraints and in Civilian Clothes and submits his memorandum of law concurrently herewith and states to this Honorable Court as follows:

1. This case is set for trial on November 16, 2020.
2. The trial on this matter involves civil rights violations of Plaintiff that occurred while Plaintiff was a prisoner in the custody of the Missouri Department of Corrections.
3. At the time of the trial in this matter, Plaintiff will still be in the custody of the Missouri Department of Corrections.
4. During Mr. Anderson's case, he has not attempted to cause harm to anyone and has participated in this action without incident and without exhibiting any violent or disruptive behavior, including making any threats towards the individual defendants or their counsel.
5. Plaintiff respectfully requests that he be permitted to appear at his trial without shackles or other restraints and in civilian clothes.

6. Plaintiff has a constitutional right to a fair civil trial.

7. Although the jury will be aware that Plaintiff was a convicted prison at the time of the incident subject to this case because of the nature of Plaintiff's claims, the shackles and distinct-colored prison garments will exacerbate any pre-existing prejudice jurors may have toward Plaintiff because of his prisoner status and these items may cause jurors to perceive him as a threat.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant his Motion to Permit Plaintiff to Appear in Court at Trial Without Shackles or Other Restraints and in Civilian Clothes and for such other and further relief this Honorable Court deems just and proper under the circumstances.

Respectfully submitted,

SCHOTTEL & ASSOCIATES, P.C.

BY: s/James W. Schottel, Jr.

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Attorney for Plaintiff
Lautha V. Anderson, Sr.

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2020, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

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*s/James W. Schottel, Jr.*_____